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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8605

UNITED STATES OF AMERICA,

Plaintiff,

v.

Servando David LOZOYA-Val,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

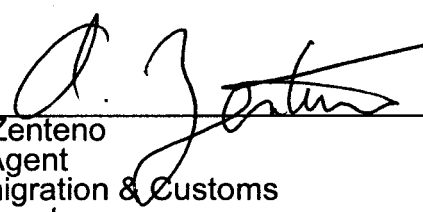
21 U.S.C. § 952 & 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about July 5, 2008, within the Southern District of California, defendant Servando David LOZOYA-Val did knowingly and intentionally import approximately 22.70 kilograms (49.94 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 & 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Antonio Zenteno
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THE 7TH
DAY OF JULY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT


I, Special Agent Antonio Zenteno, declare under penalty of perjury, the following is true and correct:

On July 5, 2008, at approximately 1040 hours, Servando David LOZOYA-Val entered the United States from Mexico at the Calexico, CA., West Port of Entry. LOZOYA was the driver, sole occupant, and registered owner of a 2003 Chrysler Dodge Ram 2500 pickup bearing Mexico license plates AM-22-630. LOZOYA gave a primary U.S. Customs and Border Protection Officer a negative oral Customs declaration. During the primary officer's inspection of the pickup, he observed what appeared to be fresh paint in the wheel well and frame. The primary officer referred the pickup into the vehicle secondary for further inspection.

Subsequent inspection of the Chrysler Dodge Ram 2500 pickup revealed 20 packages concealed within a specially built dashboard compartment. One of the packages was probed and a white powdery substance was obtained, which field-tested positive for cocaine. The 20 packages had a combined net weight of approximately 22.70 kilograms (49.94 pounds).

LOZOYA was arrested in violation of Title 21 United States Code Section 952, and 960, Importation of Controlled Substances. LOZOYA acknowledged and waived his Miranda rights. LOZOYA stated that he was going to receive \$3,000.00 smuggling fee after successfully smuggling the drug-laden pickup into the United States from Mexico. LOZOYA was processed and booked into the Imperial County Jail to await his initial appearance before a U.S. Magistrate Judge.

Executed on 07/05/08 (date) at 1717 (hours).


 Antonio Zenteno
 Immigration & Customs Enforcement
 Special Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant(s) named in the probable cause statement committed the offense on 07/05/08 in violation of Title 21, United States Code, Section(s) 952 & 960.


 United States Magistrate Judge

7/5/08
 Date/Time